

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13369, of Jefferson C. Glassie, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.44 to use the lower two floors of the subject premises as offices of professional engineers in an SP-2 District at the premises 1134 - 10th Street, N.W., (Square 341, Lot 811).

HEARING DATE: November 12, 1980

DECISION DATE: December 3, 1980

FINDINGS OF FACT:

1. The subject property is located in an SP-2 District on the west side of 10th Street between L and M Streets, N.W.

2. The subject property is seventeen feet wide and forty-one feet deep. It contains an area of 679 square feet.

3. The property is improved with a three story plus basement brick row structure. The structure is adjoined by an identical structure to the south known as 1136 - 10th Street, N.W.

4. The structure is presently vacant. It was previously used as a rooming house.

5. The applicant proposes to use the top two floors of the building for apartment use. Each floor will contain a one-bedroom apartment. Such use is permitted as a matter-of-right in an SP-2 District.

6. The applicant proposes to use the basement and first floor of the building as the offices of a professional engineer. Such use requires approval of the Board under Paragraph 4101.44.

7. Each floor of the building has approximately 450 square feet. The hours of operation of the office use will not exceed from 9:a.m. to 5:p.m., Mondays through Fridays. There will be a maximum of five persons employed in the office.

8. The premises will be renovated. No exterior modifications will be made except for those necessary to repair the structure, which is badly deteriorated.

9. There are no public alleys adjacent to this site and the structure occupies approximately ninety per cent of Lot 811. There is no practical means of providing parking on this property. The Zoning Regulations do not require any off-street parking to be provided.

10. Adjacent to the subject property to the south is a similar four story structure, used in a manner similar to that proposed for the subject site. Adjacent on the north is a large three story residential structure which is also vacant. Across 10th Street from the site is a large surface parking lot which occupies the southeast corner of 10th and M Streets. The immediate vicinity of the site is predominantly residential. Three and four story row structures, as well as small apartment buildings, form the predominant building type. There are a number of high rise apartment buildings within two or three blocks of the subject property, particularly along Massachusetts Avenue to the south and 13th Street to the west. Fully one-third of the row structures in the immediate vicinity of the site are vacant.

11. There is little traffic on 10th Street, which is one-way southbound. Access to the south stops at Massachusetts Avenue where the Convention Center is under construction. Access from the north is limited by the median divider of Rhode Island Avenue.

12. On -street parking is available on 10th Street. The proposed occupant of the office space testified that he would use public transportation to get to and from work. He further testified that his business generated very little traffic.

13. The Office of Planning and Development, by report received on November 7, 1980 and by testimony at the hearing, recommended that the application be approved. The OPD reported that the property which is the subject of this application is a four story row structure which has a gross floor area of approximately 1,800 square feet. Lot 811 is fairly small with an area of 697 square feet. At the present time, the building is vacant and shows signs of deterioration. The building adjacent to the north is vacant, while the building adjacent to the south has been recently remodelled for residential uses. The applicant proposes to renovate the structure without substantially altering the facade. The height and design would, therefore, be in harmony with the adjacent structures. The neighborhood is predominantly residential, although a significant number of structures in the vicinity are vacant.

It was OPD's opinion that, in general, the two floors of professional office space as proposed by the applicant would not be detrimental to the character of the neighborhood. Given the lack of egress to Lot 811, it is virtually impossible to provide on-site parking for this property. Technically, the two apartment units and the 900 square feet of office space do not require the provision of any parking spaces under the present Zoning Regulations. Two field inspections of this area revealed that there is ample on street parking as well as commercial parking across 10th Street from the subject property. It was OPD's opinion that the use of this property as proposed would not, therefore, cause adverse traffic impacts. The Board concurs with the findings and recommendations of the OPD.

14. There was no report from Advisory Neighborhood Commission - 2C.

15. There was one letter of record from the owner of property in the area in support of the application.

16. There was no opposition to the application.

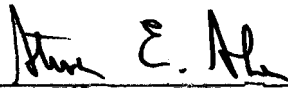
CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception. In order to be granted such an exception, the applicant must demonstrate that he has complied with the requirements of Paragraph 4101.44 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has so complied. The use, height, bulk and design of the building will be in harmony with existing uses or neighboring property. The proposed use will not create any dangerous or objectionable traffic conditions. The Board further concludes that the special exception can be granted as in harmony with the general purpose and intent of the Zoning Regulations and maps and will not tend to affect adversely the use of neighboring property in accordance with said regulations and maps. It is therefore ORDERED that the application is GRANTED.

VOTE: 5-0 (Walter B. Lewis, Connie Fortune, William F. McIntosh and Charles R. Norris to GRANT; Douglas J. Patton to GRANT by PROXY)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: _____

23 JAN 1981

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.